CHIEF SECRETARIAT

(GENERAL ADMINISTRATION DEPARTMENT)

Dated 23rd/25th August 1971.

No. GAD 19 IGS 71. The final Inter State Seniority list of Gazetted Officers of Medical Department has been published in accordance with the decisions of Government of India in Part III-1 of the *Mysore Gazette* dated 7th December 1967 under Notification No. GAD 54 IGS 65 dated 3rd December 1967. In t'. t list Drs. H. Sharadamma, R. Saraswati, R. Susai Mary and Radha Ramdev have been included at Sl. Nos. 225, 250, 172 and 175 in Category II of the said list. Aggrieved by the rank assigned to them, Drs. H. Sharadamma, R. Saraswati and Radha Ramdev filled writ Petition Nos. 59, 1017, 1021 and 2469/68 in the Mysore High Court. The High Court disposed of these writ Petitions on 22nd June 1971. The High Court judgement is annexed.

2 Representations from the petitioners, respondents and all others likely to be affected by the final decisions of Government of India may be submitted in *six sets* addressed to the Secretary to the Government of India, Department of Personnel, Cabinet Secretariat, North Block, New Delhi, through the Director of Health and Family Planning Services in Mysore, Bangalore, within a month from the date of publication of this Notification in the Gazette.

By Order and in the name of the President of India

B. P. PATIL,
Deputy Secy., to Govt. General Admn. Dept. (Integration).

ANNEXURE

IN THE HIGH COURT OF MYSORE AT BANGALORE.

Dated the 22nd day of June, 1971

Present.

The Hon'ble Mr. A. Narayana Pai, Chief Justice

And

The Hon'ble Justice M. S. Nesargi

Writ Petition Nos. 59, 1017, 1021 and 2469/68.

Dr. (Smt) H. Sharadamma, w/o Sri S. G. Ram Chandra, Lady Surgon and Resident Medical Officer, Vani Vilas Hospital, Bangalore City.

Dr. R. Saraswathi, Hindu, aged about 45 years, Lady Surgeon, and Supdt. Maternity and Children Hospital, Mercara ;

Dr. R. Susai Mary, Christian, Aged 49 years, Superintendent K. N. Tuberculosis Hospital, Kolar ;

Dr. (Smt). Radha Ramdev, Surgeon, K. R. Hospital, c/o Capt. C. J. Ramdev, B. Sc., Superintendent of Polic, 'Ramble Cottage', Narasimharaja Boulevard, Mysore

... ... *Petitioners.*

(By Sri V. A. Mohan Rangam)

Vs.

The Union of India, by its Secy. Ministry of Home Affairs, New Delhi.

The State of Mysore by its Chief Secretary, Vidhana Soudha, Bangalore-1.

Dr. (Smt) S. Chandramma, 'Chandra Clinic' Opposite to National Collage, Basavangudi Bangalore.

Dr. (Smt) M.R. Kamath, Lady Medical Officer, Civil Hospital, Belgaum.

Dr. S. Ram chandra Ullal, Government Wenlock Hospital, Mangalore.

H. J. Shreshta, Government Wenlock Hospital, Mangalore.

Dr. M. S. Shetty, Medical Officer, Puttur.

Dr. M. Krishna Bhargawa, Profes sor of Pathology K.M.C. College, Hubli.

Dr. K.C. Basappa, c/o Assistant Surgeon, Office of the Director of Health Service Ananda Rao Circle, Bangalore.

Dr. D. M. Sathanarayana Setty, K. R. Hospital, Mysore.

Dr. R. Rangpa, Mysore Medical College, Mysore.

Dr. (Smt). Florense Mathias, c/o Office of the Director of Assistant Surgeon of Health Services, Ananda Rao Circle, Bangalore.

Dr. V. T. Bheema Reddy, Resident Medical Officer Bowring Hospital, Bangalore-1.

Dr. K. Govinda Das, Professor of Medicine, Mysore Medical College, Mysore.

Dr. H. V. Gadiyar, Resident Medical Officer, Government Head Quarters Hospital, Bellary.

Dr. Y. P. Rudrappa, Professor of Medicine, Post-Graduate Institute, Bowring Hospital, Bangalore-1.

Dr. (Smt). N. Leela Bai, Lady Surgeon, Government Hospital, Chickmagalur

The Union of India represented by its Secretary, Ministry of Home Affairs, New Delhi.

The State of Mysore by its Chief Secretary, Vidhana Soudha, Bangalore ... *Respondents.*

(By Sri P K. Shamasunder, H. C. G. P. for Respt. No. 2 in all W. Ps. and Sri V. N. Sathyanarayana for Respondent No. 17 in W. P. 59/68 other Respondents unrepresented).

Writ Petition under Article 226 of the Constitution of India with affdavits praying that in the circumstances stated therein this court may be pleased to direct the respondents 1 and 2 to place the petitioner in the proper position of seniority in the circumstances of the case, etc., in W. P. Nos. 59 and 2469/68 and to quash the Gazetted Notification bearing No. GAD 54 IGS 65 dated 3rd Dec. 1967 or in the alternative the Gazetted Notification dated 3rd December 1967 be treated as a proposal and the 2nd respondent be directed to call for objections thereto, hear the same and prepare a final Interestate Seniority List of the Department etc., in Writ Petitions Nos. 1017 and 1021 of 1068.

These Writ Petitions coming on for hearing this day, Chief Justice made the following :

ORDER

These Writ Petitions relate to the preparation of Inter-State Seniority list of gazetted officers of the Medical Department of the State Government.

2 The petitioners who had been assigned certain ranks in the provisional Inter State Seniority list complain that the said ranks have been varied to their detriment in consequence of the merger of some cadre or categories in the course of finalisation of the list and that before such a decision detrimental to them was taken, they had not been given an opportunity to make their representations.

Neither the Union Government nor the State Government who are respondents in these Writ Petitions deny the petitioners' claim that they had not been provided ith such an opportunity.

4 The cases therefore, attract the principle of th decision of the Supreme Court in Union Government-Vs-P. K. Roy (A.I.R. 1968 S C. 850).

5 Applying the said principle therefore, we quash the ranks assigned to the petitioners and to the contesting respondents in the final inter-State Seniority list and direct the Union Government to re-consider their cases and assign to them correct ranks in the final Inter-State Seniority List after giving an opportunity to the petitioners and the said respondents and such other persons as may be affected by the ultimate decision of the Union Government, of making representations.

6 Time six months.

A. NARAYANA PAI,
Chief Judge.

REVENUE SECRETARIAT

CORRIGENDA

No. RD. 153 AQB 71, dated 26th August 1971.

In the Government Notification No. RD 30 AQB 71 dated 18th March, 1971 issued under Section 6 of the Land Acquisition Act, 1894 (Central Act I of 1894) appearing at pages 1106 to 1139 of Part III 1 of the *Mysore Gazette* dated 1st April, 1971 in respect of lands under acquisition in Ivarkandapura village Hessarghatta Hobli, Bangalore North Taluk for Establishment of Horticulture Research Institute at Hessarghatta, Hobli, Bangalore North Taluk for Establishment of Horticulture Research Institute at Hessarghatta, Bangalore North Taluk, the following corrections shall be read.

Sl. No.	*For*		*Read*	
	S. No.	Extent	S. No.	Extent
1	2	3	4	5
16	12	4-03	12	4-03
		...		0-03
		4-06		4-06
23	16/1	3-69	16/1	3-09
41	22	4-03	22	4-13
		0-09 PK		0-09 PK
		4-22		4-22
51	25/1	0-36	26/1	0-36
99	34/3	0-07	34/3	0-27
137	45/6	0-11	45/6	0-20
138	45/7	0 20	45/7	0-05
221	60/3	0-07	60/3	0-07
225	61/1	6-17	61/1	0-17
		0-02		0-02
		0 09		0-19
236	61/6	0-07	62/6	0-07
		0-01		0-01
		0-08		0-08

1	2	3	4	5
238	62/1	...	62/8	0-02
240	26/10	0-05	62/10	0-05
290	60/7	0-24	69/7	0-24
292	69/2	0-13	69/9	0 13
296	70/4	0-06	70/4	0 06
309	78/5	0-18	73/5	0-10
313	74/1	0-0	74/1	0-10
329	75/6	0-19	75/6	0-19
				0-01 K
				0-20
330	75/7	0-19	75/7	0-19
		0-01 PK		
		0-20		
367	79/2	0-08	79/2	0-03
392	90/1	0-23	90/2	0-23
413	97/1	0-01	97/1	0-14
		0-01 PK		0-01
		0-15		0-1
415	97/1	0-15	97/3	0-15
451	110/2	0-31	110/2	0-34
476	114/10	0-33	114/10	0-33
		0-03		0-10
		1-03		1-03
481	115/5	0-27	115/5	1-27
		0-03		0-3 PK
		1-30		1-30
483	1116	0-22	116	0-22
		0-01 PK		0-01
		0-23		0-23
485	117/2	0-09	117/2	0-02
486	117/3	0-13	117/3	0-13
		0-01 PK		0-01
		0-04		0-14